

REMARKS

This application has been carefully reviewed in light of the Office Action dated January 10, 2003 (Paper No. 6). Claims 1 to 20 are currently in the application, with Claims 1, 7 and 14 to 20 being the independent claims. Reconsideration and further examination are respectfully requested.

Claims 1 to 20 were rejected under 35 U.S.C. § 102(a) over U.S. Patent No. 5,933,498 (Schneck). Applicant has considered the Examiner comments together with the applied reference and respectfully submits that the claims herein are patentably distinguishable over the applied reference for at least the following reasons.

Independent Claims 1, 15 and 18 concern an image forming apparatus in which a quality of an image to be formed is checked and a status of the image forming apparatus is checked using different criteria in accordance with the checked quality of the image. A permission determination of image formation is then performed in accordance with the checked status of the image forming apparatus.

Independent Claims 7, 16 and 19 concern an image forming apparatus in which an attribute of a received image is checked and a status of the image forming apparatus is checked using different criteria in accordance with the checked attribute of the received image. A permission determination of image formation is then performed in accordance with the checked status of the image forming apparatus.

Independent Claims 14, 17 and 20 concern an image forming apparatus in which an attribute of an image to be formed is checked and a state of the image forming apparatus which may influence image formation is checked using different criteria in

accordance with the checked attribute of the image. An operation of performing a warning about image formation and accepting an image formation request, an operation of accepting an image formation request without performing a warning about the image formation, and an operation of not accepting an image formation request are selectively performed in accordance with the identified state of the image forming apparatus.

The applied reference is not understood to disclose the foregoing features of the present invention. In particular, the applied reference is not understood to disclose at least the feature of checking a status of or identifying a state of an image forming apparatus in accordance with a checked quality or attribute of an image.

As discussed in Applicant's previous response, Schneck is understood to concern a system with which access and use of data is controlled according to a set of rules. In controlling access to the data, Schneck is understood to restrict the quality of access to data by limiting features such as resolution, accuracy and fidelity. However, Schneck is not understood to check the status of an image forming apparatus using different criteria in accordance with the restricted quality of access. Therefore, Schneck is not understood to disclose at least the feature of checking a status of or identifying a state of an image forming apparatus in accordance with a checked quality or attribute of an image.

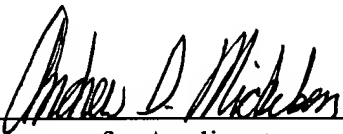
Accordingly, independent Claims 1, 7 and 14 to 20 are believed to be allowable over the applied reference. Reconsideration and withdrawal of the § 102(a) rejection of Claims 1, 7 and 14 to 20 are respectfully requested.

The other claims in the application are dependent from the independent claims discussed above and are therefore believed to be allowable over the applied reference for at least the same reasons. Because each dependent claim is deemed to define an additional aspect of the invention, however, the individual consideration of each on its own merits is respectfully requested.

In view of the foregoing amendment and remarks, the entire application is believed to be in condition for allowance and such action is respectfully requested at the Examiner's earliest convenience.

Applicant's undersigned attorney may be reached in our Costa Mesa, California, office by telephone at (714) 540-8700. All correspondence should be directed to our address given below.

Respectfully submitted,



Attorney for Applicant

Registration No. 30,957

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-2200
Facsimile: (212) 218-2200

CA_MAIN 61232 v 1